

**The National Aeronautics and Space Administration
Fiscal Year 1999
Annual Freedom of Information Act (FOIA) Report**

I. Basic Information

A. Name, Title, Address and telephone number of person(s) to contact with questions about the report.

Stephen L. McConnell
Freedom of Information Act Officer
NASA
Washington DC 20546-0001
(202/358-0068)

B. Electronic address for report on the World Wide Web.

<http://www.hq.nasa.gov/office/pao/FOIA>

C. How to obtain a copy of the report in paper form.

Mail or fax written request to:

NASA
FOIA Office (Mail Code PS)
Washington DC 20546-0001
FAX: (202)358-4338

OR

Send e-mail request to: foia@hq.nasa.gov

II. How to Make a FOIA Request

A. Names, addresses, and telephone numbers of all individual Agency components and offices that receive FOIA requests.

NASA Headquarters
Attn: FOIA Office, Code PS
Washington DC 20546-0001
(202) 358-0205

Office of Inspector General
NASA Headquarters
Attn: FOIA Office, Code W

Washington DC 20546-0001
(301) 286-9505

Ames Research Center
Attn: FOIA Office, Mail Stop 204-2
Moffett Field CA 94035
(650) 604-4190

Dryden Flight Research Center
Attn: FOIA Office
P. O. Box 273
Mail Stop 4839
Edwards CA 93523
(805) 258-2662

Goddard Space Flight Center
Attn: FOIA Office
Mail Code 213.1
Greenbelt MD 20771
(301) 358-0730

Johnson Space Center
Mail Code AP2
Houston TX 77058
(281) 483-8612

Kennedy Space Center
Mail Code AB-F1
Kennedy Space Center FL 32899
(407) 867-2497

Langley Research Center
Attn: FOIA Office
Mail Stop 154
Hampton VA 23681
(757) 864-2497

Glenn Research Center
Attn: FOIA Office
Mail Code 0610
21000 Brookpark Road
Cleveland OH 44135
(216) 433-2755

Marshall Space Flight Center
Attn: FOIA Office

Mail Code CO50
Marshall Space Flight Center AL 35812
(256) 544-1837

Stennis Space Center
Attn: FOIA Office
Mail Code CA00 Building 1100
Stennis Space Center MS 39529-6000

B. Brief description of the agency's response-time ranges.

FOIA requests are routinely responded to in the allotted 20 working days (between 80% and 90%). Those requests requiring more time depend on the amount of information requested, legal issues involved and the availability of records requested (i.e., requests for records maintained at more than one Center and Office of Inspector General records that are maintained at various locations and requiring extensive review due to the investigative nature of the records). To accommodate the Electronic FOIA (E-FOIA) requirements, many of the documents requested by multiple requesters, OIG audit reports and other public documents are now being added to our E-FOIA Reading Rooms located on the Internet.

C. Brief description of why some requests are not granted.

Some requests are not granted based upon the exemptions allowed under the FOIA; information does not exist; request is withdrawn; it is referred to another agency or it is not an agency record.

III. Definitions of Terms and Acronyms Used in the Report

A. Agency-specific acronyms or other terms.

1. NASA - National Aeronautics and Space Administration.
2. HQ - Headquarters.
3. ARC - Ames Research Center.
4. DFRC - Dryden Flight Research Center.
5. GSFC - Goddard Space Flight Center.
6. JSC - Lyndon B. Johnson Space Center.
7. KSC - John F. Kennedy Space Center.
8. LaRC - Langley Research Center.
9. GRC - Glenn Research Center.
10. MSFC - George C. Marshall Space Flight Center.
11. SSC - John C. Stennis Space Center.
12. WFF - Wallops Flight Facility.
13. OIG – Office of Inspector General

14. E-FOIA – Electronic Freedom of Information Act

B. Basic terms, expressed in common terminology.

1. FOIA/PA request -- Freedom of Information Act/Privacy Act request. A FOIA request is generally a request for access to records concerning a third party, an organization, or a particular topic of interest. A Privacy Act request is a request for records concerning oneself. Such requests are also treated as FOIA requests.

2. Initial Request -- a request to a federal agency for access to records under the Freedom of Information Act.

3. Appeal -- a request to a federal agency asking that it review at a higher administrative level a full denial or partial denial of access to records under the Freedom of Information Act, or any other FOIA determination such as a matter pertaining to fees.

4. Processed Request or Appeal -- a request or appeal for which an agency has taken a final action on the request or the appeal in all respects.

5. Multi-track processing -- a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests in each track are processed on a first-in/first-out basis. A requester who has an urgent need for records may request expedited processing (see below).

6. Expedited processing -- an agency will process a FOIA request on an expedited basis when a requester has shown an exceptional need or urgency for the records which warrants prioritization of his or her request over other requests that were made earlier.

7. Simple request -- a FOIA request that an agency using multi-track processing places in its fastest (nonexpedited) track based on the volume and/or simplicity of records requested.

8. Complex request -- a FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or complexity of records requested.

9. Grant -- an agency decision to disclose all records in full in response to a FOIA request.

10. Partial grant -- an agency decision to disclose a record in part response to a FOIA request, deleting information determined to be exempt under one or more of the FOIA's exemptions; or a decision to disclose some records in their

entireties, but to withhold others in whole or in part.

11. Denial -- an agency decision not to release any part of a record or records in response to a FOIA request because all the information in the requested records is determined by the agency to be exempt under one or more of the FOIA's exemptions, or for some procedural reason (such as because no record is located in response to a FOIA request).

12. Time limits -- the time period in the Freedom of Information Act for an agency to respond to a FOIA request (ordinarily 20 working days from proper receipt of a "perfected" FOIA request).

13. "Perfected" request -- a FOIA request for records which adequately describes the records sought, which has been received by the FOIA office of the agency or agency component in possession of the records, and for which there is no remaining question about the payment of applicable fees.

14. Exemption 3 statute -- a separate federal statute prohibiting the disclosure of a certain type of information and authorizing its withholding under FOIA subsection (b)(3).

15. Median number -- the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.

16. Average number -- the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.

IV. Exemption 3 Statutes

A. List of Exemption 3 statutes relied on by agency during current fiscal year.

1. Arms Export Control Act, 22 U.S.C. 2751 et seq., and the Export Administration Act of 1985, 50 U.S.C. App. 2401 et seq.
2. National Aeronautics and Space Act of 1958, as amended, 42 U.S.C. 2454(b)

V. Initial FOIA/PA Access Requests

A. Numbers of initial requests.

1. Number of requests pending as of end of preceding fiscal year: 165
2. Number of requests received during current fiscal year: 1661

3. Number of requests processed during current fiscal year: 1670

4. Number of requests pending as of end of current fiscal year: 139

B. Disposition of initial requests.

1. Number of total grants: 753

2. Number of partial grants: 533

3. Number of denials:

a. number of times each FOIA exemption used:

(1) Exemption 1: 0

(2) Exemption 2: 3

(3) Exemption 3: 2

(4) Exemption 4: 494

(5) Exemption 5: 26

(6) Exemption 6: 44

(7) Exemption 7(A): 3

(8) Exemption 7(B): 0

(9) Exemption 7(C): 5

(10) Exemption 7(D): 1

(11) Exemption 7(E): 0

(12) Exemption 7(F): 0

(13) Exemption 8: 0

(14) Exemption 9: 0

4. Other reasons for nondisclosure (total):

a. no records: 130

- b. referrals: 134
- c. request withdrawn: 88
- d. fee-related reason: 9
- e. records not reasonably described: 19
- f. not a proper request for some other reason: 13
- g. not an agency record: 25
- h. duplicate request: 11
- i. other:

Required the creation of records: 1

Mail received through FOIA e-mail and handled outside FOIA:
Approximately 2,500

VI. Appeals of Initial Denials of FOIA/PA Requests

A. Numbers of appeals.

- 1. Number of appeals received during fiscal year: 10
- 2. Number of appeals processed during fiscal year: 10

B. Disposition of appeals.

- 1. Number completely upheld: 6
- 2. Number partially reversed: 3
- 3. Number completely reversed: 1

a. number of times each FOIA exemption used:

- (1) Exemption 1: 0
- (2) Exemption 2: 0

(3) Exemption 3: 0

(4) Exemption 4: 5

(5) Exemption 5: 3

(6) Exemption 6: 3

(7) Exemption 7(A): 1

(8) Exemption 7(B): 0

(9) Exemption 7(C): 0

(10) Exemption 7(D): 0

(11) Exemption 7(E): 0

(12) Exemption 7(F): 0

(13) Exemption 8: 0

(14) Exemption 9: 0

4. Other reasons for nondisclosure (total):

a. no records: 2

VII. Compliance with Time Limits/Status of Pending Requests *

A. Median processing time for requests processed during the year.

1. Simple requests.

a. number of requests processed: 900

b. median number of days to process: 15

2. Complex requests (specify for any and all tracks used).

a. number of requests processed: 527

b. median number of days to process: 29

3. Requests accorded expedited processing.

a. number of requests processed: 2

b. median number of days to process: 20

B. Status of pending requests.

1. Number of requests pending as of end of current fiscal year: 139

2. Median number of days that such requests were pending as of that date: 31

*Some of the NASA Centers are not using the multi track system.

VIII. Comparisons with Previous Year(s) OPTIONAL

Complete information was not available.

IX. Costs/FOIA Staffing

A. Staffing levels.

1. Number of full-time FOIA personnel: 7

2. Number of personnel with part-time or occasional FOIA duties (in total work-years): 11.75 years

3. Total number of personnel (in work-years): 18.75 years

B. Total costs.

1. FOIA processing: \$547,545

2. Litigation-related activities: \$3000

3. Total costs: \$550,545

4. Comparison with previous year(s). Lower than 1998 by \$30,543 -- 1998 Total Cost: \$581,088

X. Fees

A. Total amount of fees collected by agency for processing requests: \$33,003.28

B Percentage of total costs: 6%

XI. FOIA Regulations (Including Fee Schedule)

Available electronically on our FOIA Web page at <http://www.nasa.gov/FOIA/>.